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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

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MERIAH SETH MORRIS,

Plaintiff,

v.

US MAGNESIUM,, et al.,

Defendants.

**MEMORANDUM DECISION AND  
ORDER ADOPTING REPORT AND  
RECOMMENDATION**

Case No. 2:14-cv-250-DN-BCW

District Judge David Nuffer

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The Report and Recommendation (R & R) by United States Magistrate Judge Brooke Wells,<sup>1</sup> recommended dismissal of Plaintiff Meriah Seth Morris's case for failure to file his complaint within 90 days of receiving the right to sue letter from the Equal Employment Opportunity Commission (EEOC) and for failure to obey the court's order to "provide the original envelope that contained the Right to Sue letter to the Court for in camera inspection."<sup>2</sup> The R & R further recommends that the pending motion for service of process be denied or deemed moot.<sup>3</sup>

Morris was notified of the right to file objections to the R & R within 14 days of service pursuant to [28 U.S.C. § 636\(b\)](#) and Rule 72(b) of the Federal Rules of Civil Procedure.<sup>4</sup> No objection was filed.

Pursuant to [28 U.S.C. § 636\(b\)](#) and Rule 72(b)(3), and after de novo review of all materials, including the record that was before the magistrate judge and the reasoning set forth in the R & R,

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<sup>1</sup> Report and Recommendation R & R), [docket no. 14](#), filed September 9, 2014.

<sup>2</sup> *Id.* at 2.

<sup>3</sup> *Id.* at 3.

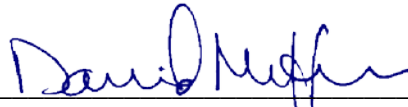
<sup>4</sup> *Id.*

IT IS HEREBY ORDERED that the R & R is ADOPTED and the case is DISMISSED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED that the motion for service of process<sup>5</sup> is MOOT. The clerk is directed to close this case.

Signed September 29, 2014.

BY THE COURT

A handwritten signature in blue ink, appearing to read "David Nuffer", is written over a horizontal line.

District Judge David Nuffer

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<sup>5</sup> Motion for Official Service of Process, [docket no. 11](#), filed July 22, 2014.